THE LATTER-DAY SAINTS'

MILLENNIAL STAR.

"O house of Jacob, come ye, and let us walk in the light of the Lord."—ISAIAH.

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ELDER TAYLOR'S THIRD LETTER.

"It is therefore proper to say that while the case at bar is called The People versus Brigham Young, its other and real title is Federal Authority versus Polygamic Theocracy."—Opinion of Chief Justice J. B. McKean.

Editor Deseret News. Dear Sir, The principles of universal liberty, inalienable rights, inherent in every man born into the world, to which I referred in my last, are cosmopolitan in their nature, the rightful inheritance of every man, and are applicable only to a regenerated political world. These are the principles that the Latter-day Saints believe in, and are in fact the leading prominent features of the kingdom of God. For when God's "will shall be done on the earth as it is done in heaven," the shackles will be knocked from every son and daughter of Adam; there will be proclaimed a universal jubilee, and all mankind will be free, every wrong will be suppressed, and every right maintained; the living, glorious, eternal principles of "doing unto all men as we would they should do unto us," will prevail. Then social, political, religious and judicial tyranny shall hide its hoary head and be buried in everlasting oblivion; then those heaven-born principles announced at the birth of Jesus, "Peace on earth and good will to man," shall be proclaimed to every nation, heralded to the world, thundered from every mountain top, reverberated from hill to hill, and echoed in every vale; they will be whispered in every household and be wafted on every breeze. Then all hearts shall be made glad, and the voice of mourning and sorrow be banished from the earth;

"And every man in every place,
Shall meet a brother and a friend."

and as Parley P. Pratt has it—

"Come, ye sons of doubt and wonder,
Indian, Moslem, Greek, or Jew;
All your shackles burst asunder,
Freedom's banner waves for you."

This is what the Latter-day Saints are trying to inaugurate. Judge McKean says it is a *system* that is on trial; he does not know it, but the above is the system; what he is pleased to call "Polygamic Theocracy," against which he says Federal Authority is arrayed, or in other words, the United States *versus* popular sovereignty, the inalienable rights of man, universal freedom, the reign of peace, the kingdom of God.

The United States government do not profess this, they have entered into no such compact. The republic

of America is simply the act of the people of America. The Constitution is a solemn compact, entered into by the people which composed the then colonies of America, by which the several peoples and States that should be organized under it agreed to abide among one another. They were not legislating for the world, nor forming compacts for any other people than their own; they did not even prohibit slavery; their compact was simply with the Caucasian race, then within, and that should hereinafter endorse the compact in the United States.

It may be asked why the framers of the Constitution did not carry out the views enunciated by the declarers of independence, in regard to the inalienable rights of man, and allowed in article IV, sec. 2, of the Constitution, slavery to be continued and perpetuated? Simply because they had not the moral courage, or power, to enforce principles that to their understanding and mental vision were "self evident truths." Were I their apologist, I might say, that just emerging from despotism, composed of different nationalities and a diversity of interests, finding it impossible to agree on every principle, they thought it better, as a compromise, to sacrifice this one and retain so many that were good, than to lose the whole, break up in confusion and lose their national unity. But this sacrifice has cost the nation dearly, for, as the tree in which is deposited the small insect, continues to grow and flourish and spread forth its branches and foliage, while a deadly canker is penetrating the trunk and threatening its destruction, so slavery for nearly a century has been a subject of bitterness, acrimony, heart burning and hatred, annually disturbing the councils of the nation, until it culminated in one of the most bloody, revengeful, fratricidal wars recorded in history, thus exhibiting a terrible retribution for the violation of natural law and inalienable right.

It may be asked, if this instrument was imperfect, why do you sustain it? Simply that, with this one fault, it was the best instrument in existence, and it was all and more than the nation has ever lived up to. Why did Joseph Smith say it was given by inspiration of God, if it was imperfect? Does He sanction imperfect things? Yes, when a whole people want them. He allowed ancient Israel to have a king, but at the same time told them he would be a curse (see 1 Sam. chap. 8). He placed the children of Israel under the law because of transgression; if they could have endured the Gospel they might have had it, which was more perfect.

It is but fair to say, then, that the liberty they professed was only for themselves; for the European communities who might come here, the Caucasian race; not the negro, not the Indians, perhaps not the Asiatic or Chinese, but to the white; everything else professed is a falsehood, a sham. It does not or did not profess to give liberty to them, only to the white man. Fourth of July orators sometimes in their oratorical flights, talk of extending their principles to the world, and proclaiming universal liberty and the inalienable rights of man, but this is only a momentary gush of enthusiasm, and dies out, as do the clang of bells, the sound of music, and hurrahs of the populace. The above is the *higher law* so much talked of, and which men seem so little to understand.

If the United States government, therefore, abide by the Constitution of the United States, that is all that can be required of them. By these however they are in honor bound, just as much as men are in honor bound to meet their financial arrangements or other promises to pay; just as much as the Free Masons, Odd Fellows, Druids, or any other organizations are bound to abide by their covenants.

It is our rights, therefore, as American citizens, that we have to examine. The Constitution may very properly be said to be the political Bible or law of the American nation. It contains the doctrines, organizations, rights, privileges, powers, and immunities both of the citizen and the nation, as the Bible contains the doctrines, organizations, rights, privileges and laws of the Christian and church. It is a political text-book or book of reference, and is the end of all questions by all parties.

The right of citizenship has for ages

been considered a great boon among the nations. In many instances it conferred great and special privileges, as in Greece, Rome, France, England and other nations. The right of suffrage was one prominent among these privileges. In most European nations, and in England, to-day, many of those privileges are yet extant. In former days Paul of Tarsus being in danger from the rulings of a corrupt partisan court, availed himself of his Roman citizenship, and said, "I appeal unto Cæsar." To this appeal even those magnates had to listen, and conceding his rights, said, "Unto Cæsar shalt thou go." The United States are not less zealous of individual citizens' rights, than were the Romans, and stand ready to employ a consul or ambassador, a ship, fleet, an army, or the nation in their defence. Let us hope that while they are just in maintaining the rights of one individual, which a decent respect for their political status requires, that the nation will not be less just or magnanimous when a hundred thousand American citizens appeal to them for redress.

In the agreement or compact of the Constitution, which is really, as declared, "A more perfect union, formed by the people of the United States," the following powers are ceded, by the people, to the government—

"Art. I. Sec. VIII. To lay and collect taxes, duties, imports and excises—to pay the debts and provide for the common defence and general welfare of the United States; to borrow money; to regulate commerce with foreign nations, and among the several States, and with the Indian tribes; to establish a uniform rule of naturalization, and laws of bankruptcy; to coin money and fix the standard of weights and measures; punishing counterfeiting United States coin and securities, to establish post offices and roads; promote science and art; to constitute tribunals, inferior to the supreme court; to punish piracies and felonies; to declare war, grant letters of marque and reprisals; to raise and support armies, to provide and maintain a navy; make laws to govern the land and naval forces; to provide for calling forth the militia; to execute the laws of the Union, suppress insurrections and repel invasions; to provide for organizing, arming and disciplining the militia; and for governing such part of them as may be employed in the service of the United States, *reserving to the State respectively* the appointment of the officers, and the authority of training the militia. To exercise exclusive legislation over the district now known as the District of Columbia, and such places as shall be purchased for the erection of forts, magazines, arsenals, dockyards and other needful buildings, and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or office thereof."

Art. I. Sec. I, says, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

"Sec. III. The Senate shall have the sole power to try all impeachments."

"Art. II. The executive power shall be vested in a President, who shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when in the service of the United States. He shall have power to grant reprieves and pardons, for offences against the United States, except impeachment; he shall have power, by and with the advice and consent of the Senate, to make treaties; appoint ambassadors, other public ministers and consuls; judges of the supreme courts, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; to fill all vacancies that may happen during the recess of the Senate. He may on extraordinary occasions convene both or either house of Congress; receive ambassadors and other public ministers; take care that the laws be faithfully executed; and shall commission all the officers of the United States."

"Art. III. The judicial power shall be vested in one supreme court, and such inferior courts as the Congress

may from time to time ordain and establish. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State, or the citizens thereof, and foreign States, citizens or subjects."

"Sec. III. The Congress shall have power to declare the punishment of treason."

"Art. IV., sec. III. The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States."

"Sec. IV. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion."

All power professed by the United States government is contained in the above, which in reality constitutes the powers and authority of the United States government. Its powers may be described as—legislative, judicial and executive; and all powers ceded to these three separate and distinct authorities belong to them, either separately or conjoined, as may be prescribed; all other powers not enumerated or specified in the above belong to the people or to the States. If there is any encroachment upon the above powers by the people, it is an injustice and a direct infringement upon the rights guaranteed by the Constitution; and on the other hand, if any of the above authorities, either the executive, legislative or judicial, exceed their powers and privileges, and encroach upon the people's rights, they commit an outrage upon the people, and violate not only good faith with the people, but the sacred oaths they have taken to maintain inviolate the Constitution of the United States; for, as we said before, "All delegated power is trust, and all assumed power is oppression." Presidents, governors, legislatures, judges, etc., etc., have no more right to interfere with the people's rights than the people have to interfere with their official duties. As all governments heretofore of every kind, among all nations, have tended towards encroachment and oppression, and as the then infantile nation had just emerged from a state of despotism and a great number of flagrant wrongs enumerated in the Declaration of Independence, they were very careful, in this instrument, to protect the people in all legitimate, personal, civil, religious and social rights, and to place them in a position whereby they nor their posterity should ever be encroached upon in a similar manner.

Laboring under accumulated acts of tyranny; groaning under oppression and wrong; smarting under the taunts of imported minions; the American people presented the sublime spectacle of a whole continent determined to be free! They issued their Declaration of Independence; wrenched the manacles from their limbs, and threw them as a guage, at the feet of their forgers; entered into articles of confederation, framed a Constitution, erected their liberty poles, flung to the breeze the Stars and Stripes—Stars, a light to themselves and friends; Stripes for the enemies of freedom and the rights of man. That king of birds, the eagle, which dares unapproachable heights, and on its powerful pinions soars aloft in the wide unfathomed upper blue, and gazes with unblenched eye on the meridian sun, was selected as their emblem. They resurrected the twin goddesses of justice and liberty, and chimed a bell that with sonorous, solemn, yet with joyous, jubilant tones, which, as was written on itself, "Proclaimed liberty throughout the land;" the fire of freedom burned in every patriotic heart; and in that instrument they were determined to perpetuate to their posterity and succeeding generations that freedom and liberty they had wrenched from the hands of tyranny.

The next inquiry is, How is this government, thus organized by the

people, to be perpetuated? and how are its officers to be chosen, and by whom? This is also provided for in the Constitution.

Sec. I. Provides that all legislative powers shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. II. Provides that the House of Representatives shall be composed of members chosen every second year, *by the people*, in the several States.

Sec. III. Provides that the "Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof." Thus the House of Representatives are chosen direct by the people, and the Senate by the Legislature of each particular State, which Legislatures are chosen by the people. The whole legislative department, if not strictly democratic, is a representative republican organization, and originates with the people, and was designed to be perpetuated by them as a living perpetual inheritance, who according to their numbers proportion their representation, and according also to another broad and acknowledged principle, based on property qualifications, of taxation and representation; hence the two-fifths rule of the negro population conceded to the South was based on this principle, being simply proprietary; goods and chattels, not men.

The Executive or President is also chosen by the people, not indeed directly, but through presidential electors, which electors are chosen by the people for that purpose, hence the President receives his power from the *vox populi* for four years.

The judicial power of the United States differs in the mode of its organization from that of the legislative and administrative; for although the forementioned two organizms derive their power directly from the people, and are strictly popular and representative, the judges are appointed by the President, by and with the consent of the Senate, and hold their offices during good behavior. Thus the whole government, except the United States judiciary, derive their authority by and with the consent of the governed. The appointing power, however, being popular representatives themselves, it is only one remove therefrom; at any rate, this is a provision of the Constitution which is as binding upon all as any other. In the States, judges are generally elected by the people.

From the above we gather that the whole foundation and superstructure of American ethics or jurisprudence is based upon the popular will; that its executive, legislative and judicial powers originate with the people; and that the people having granted to the men of their choice, certain powers, agencies and authorities, to act for and in their behalf, limiting all of them by the provisions of the Constitution, which all of them take an oath to support, they reserve to themselves, to their State or to "the people," all the remainder.

Here we may pause and inquire, if indeed the above is a correct exposition of our rights and privileges as American citizens, how is it that such infamies can transpire as have lately been exhibited in our courts? I may be here met with a statement that we are only a Territory; true, we are only a Territory, but we are American citizens, and have never abjured our citizenship nor relinquished our Constitutional guarantees. The Territorial question I propose to examine hereafter, but would now remark, if the above be true, and the axiom of the Declarers of Independence be correct, that the governments "derive their just powers from the consent of the governed," what becomes of our Federal officers, for not one of our citizens invited them here, or had any vote in their coming, nor was their consent asked. If all just powers are derived from the consent of the governed, then the powers exercised by them must be unjust. "Do men gather grapes from thorns, or figs from thistles?" Who are the instigators of our present difficulties? Every schoolboy knows. Who have been seeking to introduce anarchy, sedition and strife? Let our Federal officers answer; are they not here simply as plotters of mischief, as conspirators against the peace of the people? Professing to administer law, have they not been the first to break it? The

facts are *the people*, one hundred thousand American citizens, living in the Territory of Utah, with the full rights of freemen, and the protecting guarantees of "a written Constitution," in fact the Territorial government finds in the persons of Federal officers "another government," not of the people, and in violation of Constitutional guarantees and authority, claiming to come from the United States, *imperium in imperio*, whose policy and practices are in grave particulars at variance with its own, and asks by what authority it presumes to set itself against the legitimate constituted authority of the people of the Territory or State; by what authority it ignores its laws; by what authority it overrides and tares down the safeguards of society, and fosters in our midst drunkenness, gambling and whoredoms, those infamous adjuncts and institutions of professed civilization; by what authority it repudiates its officers; by what authority it interferes with the religion of the people, with their social, religious, political and moral rights.

And by what authority we are inflicted with such diatribes and pronunciamentos as the following—

"It is therefore proper to say that while the case at bar is called The *People versus Brigham Young*, its *other* and *real* title is Federal Authority *versus* Polygamic Theocracy."

Respectfully &c.,

JOHN TAYLOR.

PERSUASION AND PERSECUTION.

For the healthy growth of "Mormonism," and the proper development of its disciples, it seems necessary that there should be an occasional interruption of peaceful progress and a threatening prospect of serious difficulties. This, at least, has been the experience of the past. For the Latter-day Saints to enjoy an uninterrupted career of peaceful prosperity for several years would be very remarkable, and in many minds would have the effect to excite grave apprehensions. But we are happy to say that, thus far, this has never been their lot. Scarcely a year has passed over their heads since A.D. 1830, without their either being threatened with or experiencing serious trouble. In this respect their experience has been unlike that of any other community or religious body on the continent, and the effect has been to make them dissimilar in many features of their character from any other people. The adverse circumstances with which they have been surrounded have developed a faith in God which is exceedingly necessary, they have also taught them self-reliance and independence. We know of no people who recognize the hand and overruling providence of God in all the affairs of life to the same extent as the Latter-day Saints, neither have we been thrown in contact with a people so independent or self-reliant as they.

Uninterrupted prosperity, with the present experience of the people, would be a condition of affairs to be dreaded. To have the world fraternize with them, to recognize them as a people of the right kind, to bestow favors upon them, would be a great misfortune, and would, we fear, be attended with serious results. But when the Latter-day Saints are persecuted, when attacks are made upon their faith and liberties, and exertions are put forth to destroy them as a people, their energies are aroused, their enthusiasm is quickened, and their love for and devotion to their religion, which in times of prosperity may become lukewarm and weak, are revivified and fanned into an active flame. These court proceedings, therefore, are not the unmitigated evil which their authors intended them to be to the Latter-day Saints. They have been productive, thus far, of a great amount of good. Many of the people were being lulled into the sleep of forgetfulness concerning their religion and its obligations and duties. Circumstances were peaceful, money was plentiful, the world and the Latter-day Saints were moving along

quietly together, and everything was prosperous. It is so easy under such circumstances to drink into the spirit of the world that many were beginning to lose sight of the distinction which exists between God and Belial.

But the devil and his agents could not be easy to have affairs remain so quiet. He and those who are led by him always defeat themselves. They have cunning, but that is all; they have no wisdom. Had they wished to destroy the Latter-day Saints and their system, they ought to have known that to commence persecution at this juncture was not the method to adopt. Their proceedings have startled the people, have aroused them from their lethargy and infused an activity into their faith which they have not known for a long time. The Judge of this district and those who have been operating with him in these proceedings deserve, on some accounts, a vote of thanks from the authorities of the Church. They have been most effective missionaries. They have aroused the people to an extent that no amount of preaching and exhortation has been able to do. Prayers have never been more fervently offered, meetings have never been better attended, families have never been more united, and brethren and sisters have never greeted each other more warmly and cordially than since the proceedings against the leaders of the Church commenced in the Third Judicial District Court. If persecution does not promote the growth of a religious body, it at least makes it more compact; it deprives it of dead members and gives it a healthful vigor. You can more easily make many men fight for a religion than you can induce them to live up to and carry out its principles. Assail them or their friends, and you arouse their combativeness. They are in no humor then to yield or concede. A point that might be readily gained by coaxing or other inducements, would, when demanded or sought to be obtained by force, be resisted to the death.

The kind method, the method of heaping favors upon the believers of the Gospel, is one which the devil has not yet learned, and we are glad of it. It is healthy for the people of this Territory to have such attacks to resist as are now being made upon them. Without them, they might become indifferent and careless upon many important points; the Church also might be endangered by the increase within its pale of hypocrites and corrupt persons. In taking a calm, dispassionate view, therefore, of the situation of affairs in this city and Territory, we think the Latter-day Saints have abundant cause to be thankful. Their enemies now, as they have so repeatedly done in the past, are conferring benefits upon them, are contributing to build up the system and to give it a more wide-spread and durable fame.—*Deseret News.*

Elder Cannon, although a mere mountain howitzer, is creating more noise in Utah than a whole battery of ten-inch columbiads ought to do.—*Courier Journal.*

In putting the price of peace in Utah at $100,000, the *Herald* is being severely criticised by intelligent Gentiles in Salt Lake. They say it could be purchased for half the money.—*Omaha Herald.*

In 1862 the Congress of the United States passed a law against polygamy in the Territory of Utah. As polygamy is plural marriage, that act recognizes the existence of such *marriages* in prescribing a penalty for them. Judge McKean emphatically declares that a man can have only one wife—that is, he cannot be a polygamist—and consequently cohabitation with any other is not an offence against the law of Congress concerning polygamy, but is an offence against the Utah law concerning adultery. Whether the Congress of 1862 was a congregation of legislative noodles, or Judge McKean is a judicial wonder, the public may decide. We have always held that a Judge who possesses more wisdom than the entire national legislature, and combines in his own person the legislative, executive and judicial, is a *rara avis in terra*, and should be kept in a glass case for exhibition with other ornithological marvels.—*Salt Lake Herald.*

THE LATTER-DAY SAINTS' MILLENNIAL STAR.

TUESDAY, NOVEMBER 28, 1871.

DEATH OF ELDER CALEB W. HAWS.

THE news of the death of Elder C. W. Haws was to us most sudden and unexpected. But a few days previous we had visited him, and found him, to all appearance, rapidly progressing towards recovery. Everything that affection could devise or experience suggest was being done for him, and when we left him to return to Liverpool, we did so with bright hopes of his speedy recovery.

But it was not to be so. On Sunday, 19th inst., he changed for the worse, and notwithstanding that he had partaken freely of necessary nourishment, he became extremely weak. He continued to sink until a quarter past three the next morning, when he, without a struggle, peacefully passed away to his eternal reward.

"It matters not at what hour of the day
The righteous fall asleep; death cannot come
To him untimely who is fit to die;
The less of this cold world, the more of heaven—
The briefer life, the earlier immortality."

On receipt of the telegram announcing the death of our beloved brother, we again repaired to Barugh, and with the assistance of the Saints dwelling in that neighborhood made all necessary arrangements for his funeral.

Shortly before four o'clock on the Wednesday afternoon, the Saints assembled to pay their last respects to their late President, whose kindness, modesty, gentleness, and many other virtues, had greatly endeared him to them. The hymn commencing, "Thou dost not weep, to weep alone," was sung over his remains, which were then carried by six brethren to the hearse, which, according to the custom in that region of the country, stood a short distance from the house. Many Saints followed him to his last resting place, in the secluded little village churchyard at Darton.

Elder David John, President of the Glamorgan Conference, furnishes us with the following particulars relating to the life of Elder Haws—

Tredegar, Monmouthshire, Nov. 25, 1871.

Elder Geo. Reynolds.

Dear Brother—Elder Caleb W. Haws was, I believe, born in the State of Illinois. He emigrated with his parents to Utah 24 years ago. He was then ten years of age. I do not know the exact date of his birth. He has been a member in the 45th Quorum of Seventies for about twelve years. I became a member in the same Quorum ten years ago. He was in it two years before I was. He was for ten years a captain in the Nauvoo Legion, and had the best company in Provo; all his men loved him; he ruled by love; his motto always was "come boys," not go. He was married to Eliza, the second daughter of

Elder James C. Snow, who was for many years President of the Church in Utah County.

Elder Haws has left a wife and three children to mourn his loss, a father, mother, seven brothers and two sisters. They are all good people—their character is proverbial in Utah County. I have lived in the same city as they do for ten years, and I never heard a bad report about any of them.

Your brother in the Gospel,

DAVID JOHN.

ARRIVALS.—We had the pleasure, on the 26th inst., of welcoming Elders Charles L. Bellerive and Anders P. Soderborg, missionaries from Utah, who arrived at this port per steamship *Wyoming*.

Elder Bellerive, accompanied by Elder John R. Park, left Salt Lake City about two months ago. These brethren, who are intimately connected with the cause of education in Utah, have visited on their journey many institutions of learning in various parts of the United States, and during their mission will continue, as circumstances may admit, to visit the Universities, &c., in these and other lands, that the wisdom and experience of the teachers of the various recognized systems of education may be gathered, and, wherever beneficial, applied to the training of the youth of Zion. Elder Park disembarked at Queenstown, and is expected in Liverpool in a few days.

Elder Söderborg, formerly of Gothenburg, Sweden, left Salt Lake City on the 7th inst., and was only sixteen travelling days from that city to this port. He will leave England this evening on his way to his field of labor in Scandinavia.

Both Elder Bellerive and Elder Soderborg are in good health and excellent spirits.

DEPARTURE.—Elders A. W. Carlson, C. Matthews and B. W. Carrington left these shores *en route* for Zion on Wednesday, 22nd inst, per steamship *Wisconsin*.

Elder Carlson has labored faithfully for many years in the ministry and in the *Skandinaviens Stjerne* and MILLENNIAL STAR Offices; Elder Matthews has been on a short visit to his friends in England, and Elder B. W. Carrington came to this country with his father, President Albert Carrington, in May last. We wish these brethren a pleasant and prosperous and a speedy and safe journey to the land of the Saints.

RELEASE AND APPOINTMENT.—Elder Ralph Harrison is released from laboring in the London Conference, and appointed to preside in the Sheffield Conference.

PETITION OF THE LADIES OF UTAH.

The Salt Lake City correspondent of the *Sacramento Union* gives the following as a copy of the petition signed by 2,500 of our sisters in Utah, and forwarded by them to Washington in October—

Mrs. President Grant — Honored lady—Deeming it proper for woman

to appeal to woman, we, Latter-day Saint ladies of Utah, take the liberty of preferring our humble and earnest petition for your kindly and generous aid, not merely because you are the wife of the Chief Magistrate of our great nation, but we also are induced to appeal to you because of your high personal reputation for nobility and excellence of character. Believing that you, as all true women should do (for in our estimation every wife should fill the position of counselor to her husband), possess the confidence of, and have much influence with, his Excellency President Grant, we earnestly solicit the exercise of that influence with him in behalf of our husbands, fathers, sons, and brothers, who are now being exposed to the murderous policy of a clique of Federal officers, intent on the destruction of an honest, happy, industrious and prosperous people. We have broken no Constitutional law, violated no obligation, either national or sectional; we revere the sacred Constitution of our country, and have ever been an order-loving and law-abiding people. We believe the institution of marriage to have been ordained of God, and therefore subject to his all-wise direction. It is a Divine rite and not a civil contract, and hence no man unauthorized of God can legally administer in this holy ordinance. We believe also in the holy Bible, and that God did anciently institute the order of plurality of wives, and sanctioned and honored it in the advent of the Savior of the world, whose birth on the mother's side was in that polygamous lineage, as he testified to his servant John, on the Isle of Patmos, saying, "I am the root and the offspring of David." And we not only believe, but most assuredly know, that the Almighty has restored the fulness of the everlasting Gospel through the Prophet Joseph Smith, and with it the plurality of wives. This we accept as a purely divine institution. With us it is a matter of conscience, knowing that God commanded its practice. Our Territorial laws make adultery and licentiousness penal offences, the breach of which subjects the offender to fine and imprisonment. These laws are being basely subverted by our Federal officers, who, after unscrupulously wresting the Territorial offices from their legitimate holders, in order to carry out suicidal schemes, are substituting licentiousness for the sacred order of marriage, and seeking by these measures to incarcerate the most moral and upright men of this Territory, and thus destroy the peace and prosperity of this entire community. They evidently design to sever those conjugal, parental, and fraternal ties which are dearer to us than our lives. We appreciate our husbands as highly as it is possible for you, honored madam, to appreciate yours. They have no interests but such as we share in common with them. If they are persecuted, we are persecuted also; if they are imprisoned, we and our children are left unprotected. As a community we love peace and promote it. Our leaders are peace-makers, and invariably stimulate the people to pacific measures, even when subjected to the grossest injustice. President Brigham Young and several of his associates, all noble and philanthropic gentlemen, are already under indictment, to be arraigned before a packed jury, mostly non-residents, for the crime of licentiousness, than which a more outrageous absurdity could not exist. Under these forbidding and cruel circumstances, dear madam, our most fervent petition to you is, that through the sympathy of your womanly heart you will persuade the President to remove the malicious disturbers of the peace, or at least that he will stop the disgraceful court proceedings, and send from Washington a committee of candid, intelligent, reliable men, who shall investigate matters which involve the right of property—perhaps of life; and more than all, the Constitutional liberties of more than 100,000 citizens. By doing this you will be the honored instrument, in the hand of God, of preventing a foul disgrace to the present administration, and an eternal blot on our national escutcheon. For which your petitioners will ever pray.

Captivity that comes with honor is true liberty.

QUESTIONS AND ANSWERS.

To the Editor of the *Deseret News*.

Sir—Permit me to ask you, in good faith and in all candor, the following questions—

First—Is polygamy a crime according to the statute law of the land?

Second—If it is, are not the courts and officers of the law bound by their duty and by their oaths to enforce the law against polygamy, just as any other act made criminal by law?

Third—What would you think of Judges that should wholly ignore any other act made criminal by law—when brought to their notice?

Fourth—If, then, it is the duty of the courts to reform the law—whatever difference of opinion there might be as to its propriety or justice—how can the said courts be reasonably censured? Now I ask these questions in perfect good faith, and shall be glad to have an equally candid reply.

FRIEND OF HUMANITY.

The writer of the above communication has addressed us anonymously, without furnishing us his real name; we are not, therefore, under any obligation to reply to his inquiries. But as he says he asks in good faith, and requests an answer in "equal candor," we waive our usual custom and reply to him.

Reply to question No. 1.—For the first time in the history of the country a law was passed in 1862 making the practice of a religious doctrine a crime. That law has been viewed by many sound jurists, whose sympathies have not been with the religion assailed, as unconstitutional. Of course, the people against whose faith the law was levelled, have always held that the law was a palpable violation of the first amendment of the Constitution, which says that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Reply No. 2.—The courts and officers of the law are bound by their duty and by their oaths to uphold law, and not to violate it; to sustain the liberties of the people, not to assail them. If they respect their oaths, they will not perpetrate actual wrong to correct seeming wrong; they will not, through eagerness to remove an evil (so-called), be guilty of greater and more dangerous evils.

Reply to No. 3.—"Friend of Humanity" asks us, in this, a very direct question, and it is one that covers the position now occupied by certain officials in this Territory. Cannot he see that in their anxiety to reach and punish certain practices, they close their eyes to the existence of glaring crimes, and that they have wholly ignored those Statutes which would interfere with the successful carrying out of their schemes, while they have given prominence and force to those Statutes which are likely to serve their purpose? By such conduct we think they have exposed themselves to impeachment.

Reply to No. 4.—Where censure of the courts has been expressed, it is not for enforcing, but for violating the law.

We have thus endeavored to comply with our correspondent's request, and give a candid reply to his questions. But he doubtless perceives that they are not germane to the cases at present at issue in the courts.—*Deseret News.*

REVERSE THE PICTURE.

The Latter-day Saints have not been happy in choosing for themselves a name. They are "saints" of the former, not of the latter, days; and it might have been well for them had they adopted a title suggestive of an old rather than of a new Dispensation. They are a curious people, and have given rise to some criticisms so curious that it is hard to tell whether the oddities of the city of Utah are equal to the odd things which "Gentile" jour-

nalists have hurled against the people of that city. In Utah the single ladies who are poor but comely need not remain single. As Jupiter has several moons, all blessed with the light of his benignantly luminous countenance, so a Grandee of Utah may have many wives. This old-world fashion of undertaking the maintenance of other people's daughters has greatly scandalized some severe moralists in New York and London. We don't attempt to defend it. There are various ways of endeavoring to attain to a state of heavenly-mindedness. The old monks abstained from marriage and scourged themselves, or slept on boards made hard and sharp with nails. The patriarchs of the Mormon persuasion resort on the contrary to marriage in order, no doubt, to add to the number of their afflictions. We do not pretend to decide which is the severer penance. * * * * That New York and London should experience periodical thrills of horror over this wickedness of Utah is not to be wondered at. The purity of New York needs no praise of ours, and immaculate London, "chaste as the icicle," may well shudder over the depravity of a people who are so lost to all sense of decency as to have in Utah no promenade like that of Regent-street, no bowers of Innocence such as the Haymarket, and no literature like "Day and Night" or the "Day's Doings." It is well sometimes to turn a picture round in this way, and see how it looks when reversed. On a fine summer's night in 1862 we witnessed near Regent-street a sight such as could not be seen elsewhere on this planet. The broad pavement was not wide enough to hold the silken tide which swept in one close coutinuous current over it. No moving shoal of herrings could well have been thicker than was the rustling shoal of Social Evils that filled and monopolized the footway as with one overwhelming flood of bepainted and bedizened moral and physical unwholesomeness. About that time Jupiter Tonans was thundering from his throne against the fanatics of the City of the Salt Lake. For those fanatics we make no excuse; but, remembering the scene of that summer's night in London, we cannot read the thunderous denunciations of metropolitan moralists without thinking that morality, like charity, should begin at home.—*Sheffield Telegraph.*

JUDGE McKEAN.

In pronouncing his sentence this judge took occasion to inflict on the prisoner a homily which, for hypocrisy and venom, surpasses anything of the kind we ever read. It commences thus: "Thomas Hawkins, I am sorry for you, very sorry."—*Reese River Revelle.*

The judge's rulings during this trial have been throughout of an unprecedented character. He is the fairest type of an American Jeffries yet seen in this country. No consideration whatever is shown to any statute which stands in the way of summary conviction of the accused.—*Carson Daily Register.*

It is gratifying to know that the best papers in the country, of both political creeds, are taking the correct view of this matter. There is general, severe, and deserved censure, from all quarters, of McKean's conduct. He will not dare to face the storm he has raised. He will hardly be guilty of taking part in another such transaction as the conviction of Hawkins. If he shall be prevented from convicting any more men illegally, the discussion his conduct has provoked will not have been in vain.—*Sacramento Reporter.*

The present fight in Utah is a most disgraceful one. Not that we believe in Mormonism or polygamy, but because a few knavish politicians and religious bigots are endeavouring to glorify themselves as persecutors of a people whose views are peculiarly their own. President Grant, in fathering this movement, is endeavoring to ride into the White House on the back of

polygamy, but the jade will throw him. If the Mormons have a thousand wives it is none of our business. They are separated from us by the Rocky Mountains, and the taint of their social system will be purified long before it reaches Nebraska. Then why do we howl, like a pack of vampires, at Banquo's ghost? We have the reason in a nutshell. Some of the "Lords of Creation" are jealous because they are not as smart and as good-looking as Brigham Young. He has a score of wives, and they are lucky to get one. This makes them mad. Not smart enough to fool more than one woman, they determined to bind others by their own misfortunes. In our family the disease is not catching—we don't fear it. But those who are subject to the contagion must continue to howl. These political hacks who are forcing themselves upon an unwilling people deserve the halter, and if we were in Utah, would hang Judge McKean and his vampires to a lamp-post in less than a minute. We would teach the hell-hounds to stay at home, where they ought to learn the beauty and the duty of the proverb—"Mind your own business."—*Omaha Alta.*

THE WAR AGAINST POLYGAMY.

The Chicago *Times* has the following in its Washington correspondence dated October 23:

"It is authoritatively stated that the administration intends to pursue the present policy in Utah until polygamy is broken up in that territory. It is prepared for any emergency in the way of resistance from the Mormons."

Some of our contemporaries have stated that the United States government is upon trial, and it is to be apprehended that such is the case. The government has the option of doing as it pleases, but it has not the option of accepting or rejecting the consequences of its acts. If it resolves to make iniquitous laws specially to persecute an innocent and law-abiding community, and then pushes things to cruel and bloody extremities under the paltry plea of regard for the law, God is sure to lay His hand heavily upon the government and the nation, and it will not be Chicago alone, nor Missouri and Michigan and Illinois merely, that will feel the weight of His displeasure, but the whole country will be afflicted with sore and grievous judgments until either it repent or it is utterly broken up, as has been the case with mighty nations in all ages. No government, no nation, no empire, no people can oppress an unoffending community with impunity, no matter whether it is done by law perverted, or by law made expressly for the purpose, or in spite of all law. What men sow they will reap. It is a great mistake to suppose that enduring political capital can be made by a crusade against "Mormonism." We say this by way of kindness, and as a friendly warning, which we hope will be regarded ere it be too late.—*Deseret News.*

THE UTAH SOUTHERN RAILROAD.

On the invitation of General Superintendent F. Little and General Freight and Passenger Agent D. O. Calder, of the Southern Utah Railroad, we yesterday afternoon made a trip in their company over the road to Draper, the end of the present extension, where passengers now change from the southern stage lines to the cars on their way to this city. The distance is seventeen miles, and while riding down through the valley yesterday the mind was busy with recollections of the past and visions of the future. The rising dust from teams passing up and down the State road had years ago suggested the smoke of the locomotive, and fancy saw it traversing the valley from north to south; but we venture to say that few, if any, five years ago, so soon ex-

pected to see that flight of fancy a realized fact. When it is considered that the railroads north and south of this city are the work of those who pioneered the "great American desert" in poverty and privation, with obloquy persistently heaped upon them by numerous enemies who decried their every effort in the work of progress and internal development, and accumulating wealth by the slow process of arduous toil and energetic industry, the existence of the Utah Central and Utah Southern roads, as well as the Utah Northern, now progressing, is not merely creditable to those who have done the work, but is a wonder, for no foreign aid or government subsidies have been given for their construction.

The road on the Southern line is remarkably smooth for a new road, and is excellently constructed. Running down from the Utah Central Depot block, it crosses the 15th, 6th, and 5th wards, on the street on which the 6th ward schoolhouse is situated, and passes through the meadow lands south of the city, running for several miles parallel with and about two blocks west of the State road. The line of road being, for miles out of the city, almost level, the work of grading was easy, and the bed of the road may be considered as solid as solid earth itself. On either side are excellent meadow and fine arable lands, the value of which will be much enhanced by their proximity to the line, for with the growth of business in the city will arise a demand for residences outside it and within easy distance, where villas will by and by be erected, and trees, shrubbery, and flowers monopolize much space now devoted to the culture of grass, cereals, and roots.

Approaching the Cottonwoods where cuts have been made, the necessity of carrying the water from the various streams across the line, for irrigation purposes, soon presented itself as the work of construction progressed, and to meet the difficulty a novel irrigating tube was adopted, consisting of wooden pipes, which directed the water from the secs above down to and under the line and over the opposite bank, where it again pursues its moistening and fertilizing course. Near Little Cottonwood one of these tubes carries the water nine feet and a half to the road bed, and the same distance up the other side.

On the first seventeen miles of the road are two excellent bridges, built under the direction of Mr. Edward Cox, chief carpenter of the Utah Central and Utah Southern lines. One, over Little Cottonwood Creek, is six hundred and fifty feet in length; the other, over Dale Creek, is two hundred and seventy feet in length and forty feet high.

To the west, some twelve miles, lies the mouth of Bingham Canon, approached by a good road having an excellent bridge over the Jordan river, the bridge having been built by the U. S. R. R. Company at a cost of about $1,500. To the east, at short distance, rise the hoary heads of the Wasatch; the huge rifts dividing the highest ridges showing the different canons down which vast quantities of argentiferous galena are being hauled. And the bullion from different smelting works deposited at Sandy station, show how important this industry will soon become as such works increase in proportion with the demand for them.

After passing the Cottonwoods some distance, the line deflects, crosses the State road diagonally, and soon reaches Sandy Station, twelve miles from the city. This is the inception of a place of some importance. Lots are staked off for building purposes; a few shanties mark the usual beginning of the western "city;" the branch line to Little Cottonwood Cañon winding away up towards the "bench," and the forwarding establishment of Woods & Cutting, with the fine passenger and freight house of the road, make the beginning of business places which will speedily grow in number and importance. A little south of the station large smelting works are to be immediately erected, a boarding house for the workmen being already partly built, with cut quartzite from Red Butte, for the furnace, on the ground, furnished by Morris & Evans of this city.

Draper, the next halting place, is a small settlement which night and a blinding storm prevented us from making notes of. The five miles of line between it and Sandy just opened,

is like the rest a good road, with the Dale Creek bridge on it, about two miles from Sandy. The iron is now laid a mile beyond the present working terminus, and ten miles more will take it to the Point, where it can be used to much greater advantage by American Fork and Camp Floyd mining districts as well as by Utah County.

At present the traffic is much greater than we had any conception of, the passenger car last evening being crowded, so that the officers of the road whom we accompanied had to occupy one section of the express and baggage car, while a number of the workmen of the road filled the other section of it.

General Fox, chief engineer of the line, informed us last evening that the road is located to Dry Creek, in Utah County, thirty miles from the city, that the grading is done to the Point of the mountain, twenty-five miles, and that the preliminary surveys from Dry Creek to Provo will be commenced early this week. While from General Superintendent Little we learned that more iron is on the way here, and the intention is to push the line with all possible speed ten miles further, so as to reach the winter terminus before settled stormy weather sets it.—*Salt Lake Herald, Nov.* 5.

UTAH NEWS.

The following are from the *Deseret News* to Nov. 8:—

General Auger was in Salt Lake City.

Snow was three feet deep in Little Cottonwood Cañon.

The weather in and around Salt Lake City was cold and stormy.

Governor Woods had issued a proclamation appointing Thursday, November 30, a day of praise and thanksgiving.

The Deseret Telegraph Company had opened offices at Panacca, Nevada; Hebron, Southern Utah; and Paris, Rich County.

St. George, Nov. 3.—Large numbers of people are gathering in from the surrounding settlements to attend the Semi-Annual Conference of the Southern Mission, which commenced this morning in the basement of the New Tabernacle. There was a full attendance at the meetings during the day.

St. George, Nov. 4.—Conference was addressed by Elders Jacob Gates and Erastus Snow, on the subject of baptism for the dead, at the close of which, by unanimous vote, the Conference resolved to use their utmost endeavors to build a Temple.

The following are from the *Salt Lake Herald* to Nov. 9:—

Omaha papers contain advertisements of Utah dried apricots, Utah dried plums, and Utah dried peaches.

During the week ending October 31, above 2,106 tons of freight were transported over the Utah Central Railroad.

Elder Geo. H. Peterson's company of immigrants passed North Platte, all well, on the 8th inst. They were expected in Salt Lake City on the 11th.

A correspondent writing from St. George, October 23, says—The Tabernacle is being pushed with energy, the gables nearly completed, the roof going on, and inside finish being prepared. At Kanab and Long Valley the corn crops have ripened and are excellent, and generally so with potatoes. In building, Kanab is progressing. Another party of Navajoes, for the purpose of visit and trade, has arrived there, one female in the party. Major Powell has gone north for his family, intending to winter in Kanab. Wine making is nearly over for the season, the crop reaching probably not less than 10,000 gallons. Mr. Dodge assures us that his crop was never sweeter nor better.